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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

OMAR ABDULAZIZ,  
  
 Plaintiff,  
 v.

TWITTER, Inc.; McKINSEY & Co.; and  
 DOES 1-10; inclusive,  
  
 Defendants.

) Case No.:  
 )  
 ) **COMPLAINT AND DEMAND FOR**  
 ) **JURY TRIAL**

1. This is an action to vindicate the rights of Omar Abdulaziz, a political refugee who has been granted political asylum in Canada from the despotic regime in the Kingdom of Saudi Arabia (“KSA”). Because of the tremendous wealth of key figures in KSA, major corporations have enabled, collaborated with, and turned a blind eye to KSA’s efforts to suppress, torture, falsely imprison, terrorize, and murder dissenters both within Saudi Arabia and around the world. Twitter, Inc., and McKinsey & Co. have individually invaded Plaintiff’s privacy and exposed him, his family members, friends and political associates to imprisonment, torture, and even death.

COMPLAINT AND DEMAND FOR JURY TRIAL

**PARTIES**

2. Plaintiff Omar Abdulaziz (hereinafter “Plaintiff”) is a graduate student and political dissident who has been granted asylum in Canada because he faced likely persecution were he to return to his native country, Saudi Arabia.

3. Defendant Twitter, Inc., (hereinafter “Twitter”) is incorporated in Delaware with its headquarters in San Francisco, California. In 2011 Saudi Prince Alwaleed Bin Talal purchased \$300 million worth of stock in Twitter. In 2015 Bin Talal made an additional investment, owning 5.2% of the company, more than Twitter’s founder and CEO.

4. Defendant McKinsey & Co. (hereinafter “McKinsey”) describes itself as an incorporated partnership established in the State of Illinois. It does have offices in and transacts business in San Francisco, California and Redwood City, California.

5. The true and identity of each defendant denominated as a “Doe” is unknown to plaintiff at this time, so said defendants are sued in this capacity. As each such defendant becomes known to Plaintiff he shall seek leave amend this Complaint to set forth that defendant’s true identity.

**JURISDICTION**

6. Jurisdiction is proper because this action includes claims that Twitter violated or ratified it’s employee’s violation of the Stored Communications Act, 18 U.S.C. §2701, *et. seq.*

7. To the extent that the conduct giving rise to this action also implicates state law claims, this Court is requested to exercise supplemental jurisdiction over those claims pursuant to 28 U.S.C. §1367. Alternatively, diversity jurisdiction exists pursuant to 28 U.S.C. §1332.

**VENUE**

8. Venue is proper in this district under 28 U.S.C. §1391(b) because a substantial part of the events or omissions giving rise to this action occurred in this district.

**FACTUAL ALLEGATIONS**

9. In 2009 Plaintiff moved from Saudi Arabia to Canada after he was admitted to study at a Canadian university. While he was in Montreal as a student, Plaintiff, who is talented in the use of social media, began to discuss the internal political affairs of KSA. Plaintiff began to provide political commentary using Twitter and other media websites. His main contribution was criticism of the way the country was run, criticism of the royal family, corruption, and the foreign policy of KSA. Plaintiff was especially vocal about the grave violations of human rights in KSA, the disregard for Saudi citizens, and their rights and freedoms.

10. Saudi authorities retaliated by harassing Plaintiff. As a result, Plaintiff applied for asylum in Canada on or about December 31, 2013. The application was approved on February 21, 2014.

11. In response to this political persecution, Plaintiff increased his political activities as a harsh critic of the rule of KSA, and he was especially popular among the youth in Saudi Arabia. Today Plaintiff has over 400,000 followers on Twitter and the over 163,000 subscribers on YouTube channel he runs and on which he broadcasts his political views. In addition, Plaintiff contributes to and manages, together with other pro-democracy activities, a number of websites, Twitter accounts and YouTube channels.

12. Plaintiff was also a close friend of Jamal Khashoggi who was murdered in Istanbul in the beginning of October 2018 by a group of assassins related to the security and intelligence services of KSA. After Mr. Khashoggi left Saudi Arabia and moved to the United States, a friendship developed between plaintiff and Mr. Khashoggi. The two started to cooperate on a range of political activities with the objective of targeting public opinion in Saudi Arabia. The political partnership became stronger and the two cooperated on various projects. However, most of the projects did not materialize because this partnership and friendship was suddenly cut short when Mr. Khashoggi was brutally murdered in the Saudi Consulate in Istanbul, Turkey.

13. Plaintiff has been recognized as one of the most influential voices contributing to the shaping of public opinion in KSA, especially among the youth. In December 2016 or January 2017, McKinsey identified Plaintiff as one of the top three voices shaping public opinion about developments in KSA. The other two individuals were Mr. Khaled Al-Alkami and an individual named “Ahmad.” A true and accurate copy of what Plaintiff believes is the McKinsey’s report is attached as Exhibit A. McKinsey provided a copy of this report to MBS.

14. McKinsey has played a critical role in MBS’ drive to consolidate power in KSA. McKinsey has earned many millions of dollars in projects in Saudi Arabia. Between 2010 and 2016, McKinsey’s project portfolio in Saudi Arabia has grown exponentially. McKinsey has directly advised government agencies in KSA to the point that KSA’s Ministry of Planning has acquired the nickname “Ministry of McKinsey” by some Saudis, including KSA’s royal court. In 2017, McKinsey purchased a politically connected Saudi consultancy, which added 140 more employees to McKinsey’s already 300 employees in the region.

15. McKinsey has maintained an office in Riyadh, the capitol of Saudi Arabia. The company’s website boasts that its “Saudi Arabia Practice helps Saudi leaders.”

16. The Brookings Institute attributes “the Kingdom’s new economic direction” and a major government cabinet reshuffling of high-ranking government ministers to McKinsey . MBS himself has admitted that “McKinsey participates with us in many studies.” McKinsey prepared a December 2015 report entitled “Moving Saudi Arabia’s Economy Beyond Oil.” That December 2015<sup>1</sup> report outlines an ambitious blueprint for KSA’s economic transformation and diversification away from oil. In what the Brookings Institute refers to as a “glaring omission,” the December 2015 report fails to sufficiently explain how KSA “will be able to change the mindset of everyday Saudi Arabia citizens, who have long been accustomed to state largesse that included fuel subsidies, loans, free land, and public sector jobs.” The Brookings Institute goes on to insist that this is a “key issue” and questions how everyday

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<sup>1</sup> The Brookings Institute argues that the December 2015 report inspired MBS’s report entitled “Saudi Arabia’s Vision 2030”.

1 citizens in Saudi Arabia will react to the reforms, referencing public discontent to a number of  
2 higher utility prices, which led to King Salman firing the water minister to appease the public.  
3 McKinsey's PowerPoint report, which identified Plaintiff as one of the three loudest voices of  
4 discontent against KSA's policies sought to "gauge citizen sentiment on recent austerity  
5 measures announced in KSA" by closely analyzing "data from twitter feed." In other words,  
6 McKinsey's PowerPoint presentation filled a crucial blank space in how KSA would be able to  
7 pursue delicate and important economic reforms by identifying those who were spreading the  
8 most criticism of such reforms.

9 17. A New York Times article published on October 20, 2018, after the McKinsey  
10 report was issued, Mr. Alkami was arrested, based on accounts by the Saudi human rights  
11 group, ALQST.

12 18. It was not until the publication of the October 20, 2018 New York Times article  
13 that Plaintiff learned that a suspected KSA agent had used the computer access Twitter had  
14 granted him to hack into Plaintiff's confidential information.

15 19. In mid May 2018, two individuals working for KSA contacted Plaintiff and  
16 asked to meet him. Throughout a series of meetings with Plaintiff, these two individuals  
17 identified themselves as agents of the Crown Prince, Mohammad Bin Salman ("MBS").  
18 According to a number of different reports, MBS was the one who gave the order to murder  
19 Mr. Khashoggi. The two agents also indicated that they were operating on orders from Saud  
20 Al-Qahtani, who was until recently, a senior strategic advisor to MBS until he was dismissed  
21 after the murder of Mr. Khashoggi, because his name was entangled with the murder.

22 20. On or about June 29, 2015, Al-Qahtani had emailed a hacking company to ask  
23 about its service. Shortly after that, Khashoggi and other Saudi dissidents were subjected to  
24 massive Twitter attacks.

25 21. The two agents indicated to Plaintiff that MBS was not happy with Plaintiff's  
26 political activities and criticisms against KSA in general and MBS in particular. The two  
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1 agents demanded (a) that Plaintiff stop his criticism of KSA and MBS; (b) that Plaintiff return  
2 to Saudi Arabia and return to his family and friends or return and go to prison.

3 22. During the meetings, the two agents demanded that Plaintiff accompany them to  
4 the Saudi embassy in Ottawa to continue the discussions. During the meetings, KSA agents  
5 brought Plaintiff's younger brother into the room as a message that they can reach and harm  
6 Plaintiff's family. Plaintiff did not accede to the agents' demand that he go to the Saudi  
7 embassy in Ottawa. It should be noted that assassins working for KSA murdered Mr.  
8 Khashoggi in a Saudi embassy just a few months later. Plaintiff also rejected the two agents'  
9 demand that he return to Saudi Arabia.

10 23. After the meetings with the two agents, Plaintiff continued his political activities  
11 and his friendship with Mr. Khashoggi grew closer. In June and July 2018, plaintiff worked  
12 with Mr. Khashoggi on the "electronic bees" project, which was intended to organize the large  
13 number of Saudi opposition activists to use Twitter in order to deal with what is called as  
14 "electronic flies"<sup>2</sup>. Indeed, Mr. Khashoggi transferred \$5,000 to Plaintiff to support the  
15 "electronic bees" project.

16 24. On or about June 23, 2018, agents acting on behalf of KSA using Pegasus  
17 software developed by N.S.O Technologies Ltd. And Q Cyber Technologies Ltd., remotely  
18 planted malware on Plaintiff's phone.

19 25. Subsequently at the end of July 2018 and early August 2018, authorities acting  
20 on behalf of KSA increased their harassment campaign. KSA security forces raided Plaintiff's  
21 family home in Jeddah in the middle of the night using search dogs and conducted humiliating  
22 searches of the house. Two of Plaintiff's brothers were arrested and are still in prison without  
23 having been charged or receiving a trial. Security personnel acting on behalf of KSA have  
24 been torturing plaintiff's brothers who are in detention to pressure Plaintiff to stop his activism.

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26  
27 <sup>2</sup> "Electronic flies" is a group of Twitter activists who take their orders from the Saudi authorities  
28 and whose objectives are (1) to attack opposition activities; (2) to smear them; (3) to praise  
decisions and actions of MBS.

1 According to a report by Amnesty International, such conduct is consistent with KSA security  
2 personnel's mistreatment of imprisoned activists.

3 26. During the first few days of his imprisonment, KSA security personnel would  
4 take Plaintiff's younger brother out of his detention cell and ordered him to call Plaintiff to beg  
5 Plaintiff to stop his political activities. They specifically mentioned the "electronic bees"  
6 project, which the plaintiff worked on with the late Jamal Khashoggi and a small number of  
7 trusted close friends. That these KSA security personnel knew about Plaintiff's work to this  
8 level of detail was shocking to Plaintiff. Up until then Plaintiff had been unaware that KSA  
9 had been spying on him using the Pegasus system on his phone.

10 27. Dozens of Plaintiff's friends who live in Saudi Arabia have also been arrested,  
11 tortured and subjected to inhumane and humiliating treatment even though most of them are  
12 not involved or even interested in politics. KSA security personnel have done this to pressure  
13 Plaintiff to stop his political activities.

14 28. In mid-August 2018, Plaintiff was informed by Citizens Lab, which is part of the  
15 University of Toronto, that all of the information on his phone had been compromised by  
16 means of the installation of Pegasus malware.

17 29. On October 2, 2018, Mr. Khashoggi entered the Saudi Consulate in Istanbul,  
18 Turkey, never to exit. It was subsequently discovered that Mr. Khashoggi had been murdered  
19 by an assassination team sent by KSA (specifically by MBS). Mr. Khashoggi, who  
20 championed democracy, human rights and anti-corruption efforts, had been a fierce critic of  
21 KSA.

22 30. The collaboration between Plaintiff and Mr. Khashoggi had the potential to build  
23 a broad political movement for democratic reform in Saudi Arabia. Due to hacking Plaintiff's  
24 phone, KSA was aware of the collaboration between Plaintiff and Mr. Khashoggi.

25 31. KSA agents continue to pressure Plaintiff to stop his political activities.

26 32. In December 2016, McKinsey prepared a report that identified three of the most  
27 influential individuals on Twitter with respect to criticism of KSA's policies. Plaintiff was one  
28

1 of these individuals. On information and belief, McKinsey subsequently gave the report to  
2 MBS.

### 3 **The McKinsey Report**

4 33. Before McKinsey published the report, Plaintiff was one of many dissidents  
5 who protested the corruption and human rights violations of KSA. After the publication of  
6 McKinsey's report, Plaintiff became one of three. By publishing this report and furnishing it to  
7 MBS, McKinsey effectively put a target on Plaintiff's back.

8 34. On information and belief McKinsey is still working with MBS and conducting  
9 training at his MISK Foundation.

10 35. At the drafting of the report, it was foreseeable that such information would be  
11 used to target dissidents at least in part because KSA's abysmal human rights record and utter  
12 contempt for democratic values, political criticism and freedom of expression is well known.

### 13 **Twitter's Flawed Security and It's Misleading of Plaintiff**

14 36. In 2015, Twitter's terms of service contained a privacy policy. The privacy  
15 policy indicates that direct messages and non-public communications on the Twitter platform  
16 allow users' to control who saw their content. Twitter, due to the herein alleged conduct, has  
17 breached the terms of service and privacy policy.

18 37. Reports indicate Twitter hired Al Zabarah on or about August of 2013.

19 38. As of 2018 Twitter had 3,900 employees and generated over \$3 billion of  
20 yearly revenue, based upon over 320 million active users.

21 39. Known as the "Arab Spring", December 2010 through 2012 saw a wave of  
22 popular protests in the Arab world against autocratic governments in the region. According to  
23 numerous social scientists and regional experts and analysts familiar with the region, social  
24 media in general and Twitter in particular was at least one of the driving forces behind the  
25 "Arab Spring." Autocratic governments in the Arab world, including KSA have recognized  
26 this.  
27  
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1           40.     Twitter has also been used as a platform for those seeking the overthrow of  
2 autocratic regimes outside of the Arab world, including Moldova and Ukraine.

3           41.     Nevertheless, on information and belief, Twitter, at around the time of hiring  
4 Alzabarah, did not investigate potential employees' political alliances or connections to foreign  
5 governments to determine whether such potential hires would abuse their positions to hack into  
6 the private and sensitive data of Twitter's users.

7           42.     When an employee joins Twitter, he or she is supposed to apply for access to  
8 certain accounts. Grants of access depend upon the team of which the employee is a member.

9           43.     On information and belief, Twitter does not have a practice or policy of  
10 periodically investigating the employees to determine whether they pose a danger to the  
11 privacy of Twitter's users.

12           44.     At or about the time Alzabarah penetrated Twitter he met in California with  
13 Ahmed Al-Jabreen. Al-Jabreen founded a Saudi technology company, Samaat, which has  
14 ongoing business relationships with MISK, which is an MBS-controlled multi-billion dollar  
15 foundation, which later hired Alzabarah as its CEO.

16           45.     KSA recruited Alzabarah to access Plaintiff's private Twitter information (e.g.  
17 direct messages and other confidential data and information that are not available to the public)  
18 and leak it to KSA.

19           46.     The private confidential information Plaintiff had trustingly left in Twitter's  
20 care included his unique and complex Twitter password, a private email address and private  
21 telephone number, neither of which Plaintiff had shared with the public or with KSA.

22           47.     Twitter, at the end of 2015, became aware of Alzabarah's activities. After  
23 conducting an investigation, Twitter fired Alzabarah in December 2015. After Alzabarah's  
24 return to Saudi Arabia, MBS appointed him CEO of one of the multi-billion dollar MISK  
25 Foundation.

26           48.     On December 11, 2015, Twitter sent out safety notices to the owners of a few  
27 dozen accounts Alzabarah had accessed including security and privacy researchers,  
28

1 surveillance specialists, policy academics and journalists. The notice included the following:  
 2 “As a precaution, we are alerting you that your Twitter account is one of a small group of  
 3 accounts that may have been targeted by state-sponsored actors”. Plaintiff was never sent this  
 4 safety notice.

5 49. Instead, on February 17, 2016 Twitter sent Plaintiff a message indicating,  
 6 among other things, that Twitter “recently learned about-and immediately fixed-a bug that  
 7 affected our password recovery systems for about 24 hours last week. The bug had the  
 8 potential to expose the email address and phone number associated with a small number of  
 9 accounts. In our investigation, we discovered that the email address and phone number linked  
 10 to your account was viewed by another account and we wanted to alert you as soon as  
 11 possible.” A true and accurate copy of Twitter’s message to Plaintiff is attached as Exhibit B.  
 12 This message did not warn Plaintiff that his account had been hacked by an agent of KSA  
 13 despite Twitter having reason to believe that this had happened to Plaintiff’s Twitter account.

14  
 15 **First Cause of Action Against Twitter, Inc., and Does 1-5 for Violation of the**  
 16 **Stored Communications Act, 18 U.S.C. §2701, et. seq.**

17 50. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though fully  
 18 set forth herein.

19 51. In hacking into and accessing Plaintiff’s confidential Twitter information,  
 20 Alzabarah intentionally exceeded his authorization to access that facility and thereby  
 21 authorized access to electronic communication while it was in electronic storage.

22 52. Plaintiff is informed and believes and based thereon alleges that one or more of  
 23 Twitter’s managing agents ratified this conduct by concealing from Plaintiff the fact that  
 24 Alzabarah, while likely acting as an agent for Saudi regime, had singled out Plaintiff’s account  
 25 and wrongly obtained access to this information.

26 53. As a direct and legal result of Twitter’s violation of 18 U.S.C. §2701, Plaintiff  
 27 has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000.

1 Plaintiff had to move out of his apartment, withdraw from his graduate studies, and actually  
2 lived in hotels for four months.

3 54. As a direct and legal result of Twitter's violation of 18 U.S.C. §2701, Plaintiff  
4 has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental  
5 anguish, loss of enjoyment, and damage to personal and professional reputation.

6 55. Twitter's unlawful actions are intentional, willful, and/or are taken in willful  
7 disregard of Plaintiff's rights.

8 56. In addition to general and economic damages, Plaintiff seeks punitive damages  
9 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant's  
10 wrongful practices described herein.

11  
12 **Second Cause of Action Against Twitter and Does 1-5 for Violation of**  
13 **California Business & Professions Code §17200, et. seq.**

14 57. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully  
15 set forth herein.

16 58. By doing the acts alleged above herein Twitter has violated the Stored  
17 Communications Act, and has engaged in an unlawful business practice that is prohibited by  
18 §17200.

19 59. By doing the acts alleged above herein Twitter has engaged in a fraudulent or  
20 deceptive business practice that is prohibited by §17200.

21 60. By doing the acts alleged above herein Twitter has engaged in an unfair  
22 business practice that is prohibited by §17200.

23 61. As a direct and legal result of Defendant's violation of §17200 et. seq., Plaintiff  
24 has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000.

25 62. As a direct and legal result of Defendant's violation of §17200 et. seq., Plaintiff  
26 has suffered Dr. Abdulhadi has suffered humiliation, stress, anxiety, emotional distress, pain  
27  
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1 and suffering, inconvenience, mental anguish, loss of enjoyment, loss of dignity, and damage  
2 to personal and professional reputation.

3 63. Plaintiff seeks injunctive relief to protect future Twitter users from Defendant's  
4 discriminatory employment practices described herein.

5  
6 **Third Cause of Action Against Twitter and Does 1-5 for**

7 **Invasion of Privacy**

8 64. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully  
9 set forth herein.

10 65. Plaintiff had a legally protected privacy interest in the private direct messages he  
11 had sent and received via Twitter.

12 66. Plaintiff had a legally protected privacy interest in the personal data he had  
13 stored on Twitter that contained information regarding his identity, telephone number, etc.

14 67. Plaintiff's expectation that this information would remain confidential was  
15 reasonable in that Twitter had promised its users that they would have control over such  
16 information.

17 68. The invasion of Plaintiff's privacy interest in the confidential information and  
18 the direct messages was offensive to Plaintiff and would offend a reasonable person.

19 69. Plaintiff is informed and believes and based thereon alleges that one or more of  
20 Twitter's managing agents ratified this conduct by concealing from Plaintiff the fact that  
21 Alzabarah, while likely acting as an agent for Saudi regime, had singled out Plaintiff's account  
22 and wrongly obtained access to this information.

23 70. As a direct and legal result of Defendant's invasion of Plaintiff's privacy,  
24 Plaintiff has suffered stress, anxiety, emotional distress, pain and suffering, inconvenience,  
25 mental anguish, mental anguish, and loss of dignity.

26 71. Twitter's unlawful actions are intentional, willful, and/or are taken in willful  
27 disregard of Plaintiff's 's rights.  
28

1           72. In addition to general and economic damages, Plaintiff seeks punitive damages  
2 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant's  
3 wrongful practices described herein.

4  
5                   **Fourth Cause of Action Against McKinsey & Co. and Does 6-10 for**

6                           **Intentional Infliction of Emotional Distress**

7           73. Plaintiff repeats and repleads each allegation in Paragraphs 49 as though fully  
8 set forth herein.

9           74. McKinsey could not help but know of the vicious and brutal methods KSA has  
10 used to suppress dissent, including attacks not only on dissenters, but on their close family  
11 members and associates.

12           75. Despite knowing these dangers, McKinsey intentionally, knowingly, or  
13 recklessly named Plaintiff as one of the three most effective critics of KSA policies.

14           76. McKinsey's conduct in subjecting Plaintiff and his family to these dangers was  
15 outrageous.

16           77. As a direct and legal cause of consequence of McKinsey's conduct Plaintiff has  
17 suffered severe emotional distress. Plaintiff suffers and continues to suffer humiliation, stress,  
18 anxiety, emotional distress, pain and suffering, mental anguish, and loss of enjoyment.

19           78. McKinsey's unlawful actions are intentional, willful, and/or are taken in willful  
20 disregard of Plaintiff's rights.

21           79. In addition to general and economic damages, Plaintiff seeks punitive damages  
22 in an amount sufficient to punish Twitter and to protect future Twitter users from Defendant's  
23 wrongful practices described herein.

24                   **Fifth Cause of Action Against Twitter and Does 1-5 for**

25                           **Intentional Misrepresentation**

26           80. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though fully  
27 set forth herein.

1           81.     Twitter, on or about February 17, 2016, represented to Plaintiff that a bug,  
2     that had been fixed, had affected Twitter's password recovery systems for about 24  
3     hours the week prior. This bug, Twitter represented, "had the potential to expose the  
4     email address and phone number associated with a small number of accounts. In our  
5     investigation, we discovered that the email address and phone number linked to your  
6     account was viewed by another account and we wanted to alert you as soon as possible."

7           82.     Such representations were false and/or misleading. The effect of these  
8     representations, even if true, misled Plaintiff into believing that his Twitter account had  
9     not been hacked by a Twitter employee who had been recruited by the Kingdom of  
10    Saudi Arabia to gain access to Plaintiff's private Twitter information.

11          83.     Twitter knew that the representations were false when Twitter made the  
12    representations. Alternatively, Twitter made the representations recklessly and without  
13    regard for their truth.

14          84.     Twitter intended that Plaintiff rely on the representations.

15          85.     Plaintiff reasonably relied on Twitter's representations by not taking the  
16    security precautions that he would have done so had he known the truth. .

17          86.     As a direct and legal result of Twitter's intentional misrepresentations to  
18    Plaintiff, Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in  
19    excess of \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate  
20    studies, and actually lived in hotels for four months

21          87.     As a direct and legal result of Twitter's intentional misrepresentation, Plaintiff has  
22    also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental  
23    anguish, loss of enjoyment, and damage to personal and professional reputation.

24          88.     Twitter's conduct was intentional, willful, and/or are taken in willful disregard  
25    of Plaintiff's 's rights. As such, Plaintiff seeks an award of exemplary and/or punitive  
26    damages against Twitter in a sum to be determined according to proof at trial.

**Sixth Cause of Action Against Twitter and Does 1-5 for**  
**Negligent Misrepresentation**

89. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though fully set forth herein.

90. Twitter, on or about February 17, 2016, represented to Plaintiff that bug, that had been fixed, had affected Twitter's password recovery systems for about 24 hours the week prior. This bug, Twitter represented, "had the potential to expose the email address and phone number associated with a small number of accounts. In our investigation, we discovered that the email address and phone number linked to your account was viewed by another account and we wanted to alert you as soon as possible."

91. Such representations were false and/or misleading. The effect of these representations, even if true, misled Plaintiff into believing that his Twitter account had not been hacked by a Twitter employee who had been recruited by the Kingdom of Saudi Arabia to gain access to Plaintiff's private Twitter information.

92. Although Twitter may have honestly believed that the representations were true, Twitter had no reasonable grounds for believing the representations were true when Twitter made such representations.

93. Twitter intended that Plaintiff rely on the representations.

94. Plaintiff reasonably relied on Twitter's representations by not taking the security precautions that he would have done so had he known the truth.

95. As a direct and legal result of Twitter's negligent misrepresentations to Plaintiff, Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate studies, and actually lived in hotels for four months.

1           96. As a direct and legal result of Twitter's negligent misrepresentation, Plaintiff  
2 has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental  
3 anguish, loss of enjoyment, and damage to personal and professional reputation.

4  
5                   **Seventh Cause of Action Against Twitter and Does 1-5 for Concealment**

6           97. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as  
7 through fully set forth herein.

8           98. Twitter, on or about February 17, 2016, represented to Plaintiff that bug,  
9 that had been fixed, had affected Twitter's password recovery systems for about 24  
10 hours the week prior. This bug, Twitter represented, "had the potential to expose the  
11 email address and phone number associated with a small number of accounts. In our  
12 investigation, we discovered that the email address and phone number linked to your  
13 account was viewed by another account and we wanted to alert you as soon as  
14 possible." However, Twitter did not disclose to Plaintiff that his Twitter account had  
15 been hacked by a Twitter employee who had been recruited by the Kingdom of Saudi  
16 Arabia to gain access to Plaintiff's private Twitter information. This misled Plaintiff  
17 into believing that his private Twitter information was safe and had not been hacked by  
18 a Twitter employee who was an agent of the autocratic regime that Plaintiff criticizes.

19           99. Twitter intentionally failed to disclose to Plaintiff that his Twitter  
20 account had been hacked by a Twitter employee who had been recruited by the  
21 Kingdom of Saudi Arabia to gain access to Plaintiff's private Twitter information [this  
22 fact was known only to Twitter (and possibly Western intelligence officials) and  
23 Plaintiff could not have discovered them on his own]. This misled Plaintiff into  
24 believing that his private Twitter information was safe and had not been hacked by a  
25 Twitter employee who was an agent of the autocratic regime that Plaintiff criticizes.



1           100. Plaintiff did not know that his Twitter account had been hacked by a  
2 Twitter employee who had been recruited by the Kingdom of Saudi Arabia to gain access  
3 to Plaintiff's private Twitter information (hereinafter "concealed facts").

4           101. Twitter intended to deceive Plaintiff by concealing the concealed facts.

5           102. Had the concealed facts been disclosed, Plaintiff reasonably would  
6 have behaved differently (e.g. taken safety precautions)

7           103. As a direct and legal result of Twitter's concealment, Plaintiff has suffered  
8 loss of property and has incurred out-of-pocket expenses in excess of \$75,000. Plaintiff had to  
9 move out of his apartment, withdraw from his graduate studies, and actually lived in hotels for  
10 four months.

11           104. As a direct and legal result of Twitter's concealment, Plaintiff has also  
12 suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental anguish,  
13 loss of enjoyment, and damage to personal and professional reputation

14           105. Twitter's conduct was intentional, willful, and/or are taken in willful  
15 disregard of Plaintiff's 's rights. As such, Plaintiff seeks an award of exemplary and/or  
16 punitive damages against Twitter in a sum to be determined according to proof at trial.

17  
18           **Eighth Cause of Action Against Twitter and Does 1-5 for Negligent Hiring,**  
19           **Supervision, or Retention of Employee**

20           106. Plaintiff repeats and repleads each allegation in Paragraphs 1-49 as though  
21 fully set forth herein.

22           107. Twitter hired Alzabarah.

23           108. Alzabarah became unfit and/or hazardous to perform the work for  
24 which Alzabarah was hired.

25           109. Twitter knew or should have known that Alzabarah was or became  
26 unfit and/or hazardous to perform the work for which Alzabarah was hired and that  
27 this unfitness and/or hazard created a particular risk to others including Plaintiff.  
28

110. As a direct and legal result of Alzabarah's unfitness and/or hazard, Plaintiff has suffered loss of property and has incurred out-of-pocket expenses in excess of \$75,000. Plaintiff had to move out of his apartment, withdraw from his graduate studies, and actually lived in hotels for four months.

111. As a direct and legal result of Alzabarah's unfitness and/or hazard, Plaintiff has also suffered stress, anxiety, emotional distress, pain and suffering, inconvenience, mental anguish, loss of enjoyment, and damage to personal and professional reputation.

112. Twitter's negligence in hiring, supervising and/or retaining Alzabarah was a substantial factor in causing Plaintiff's harm.

**PRAYER FOR RELIEF**

1. Compensatory damages for all economic loss, including but not limited to loss of past or future income, to the extent allowed by law.

2. General damages for pain, suffering, humiliation, and emotional distress to the extent allowed by law.

3. Punitive or exemplary damages, in an amount sufficient to punish the defendant and to deter future similar misconduct, to the extent allowed by law.

4. Injunctive and prospective relief as the Court may order to prevent further wrongful acts, to the extent allowed by law.

5. The costs of litigation, including reasonable attorney's fees, to the extent allowed by law.

DATED: October 18, 2019

RESPECTFULLY SUBMITTED

**KLEIMAN / RAJARAM**

By: /s/ Mark Allen Kleiman, Esq.  
Mark Allen Kleiman, Esq.

**LAW OFFICES OF BEN GHARAGOZLI**  
Ben Gharagozli, Esq.

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COMPLAINT AND DEMAND FOR JURY TRIAL

**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all issues so triable.

DATED: October 18, 2019

RESPECTFULLY SUBMITTED

**KLEIMAN / RAJARAM**

By: /s/ Mark Allen Kleiman, Esq.  
Mark Allen Kleiman, Esq.

**LAW OFFICES OF BEN GHARAGOZLI**  
Ben Gharagozli, Esq.

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COMPLAINT AND DEMAND FOR JURY TRIAL

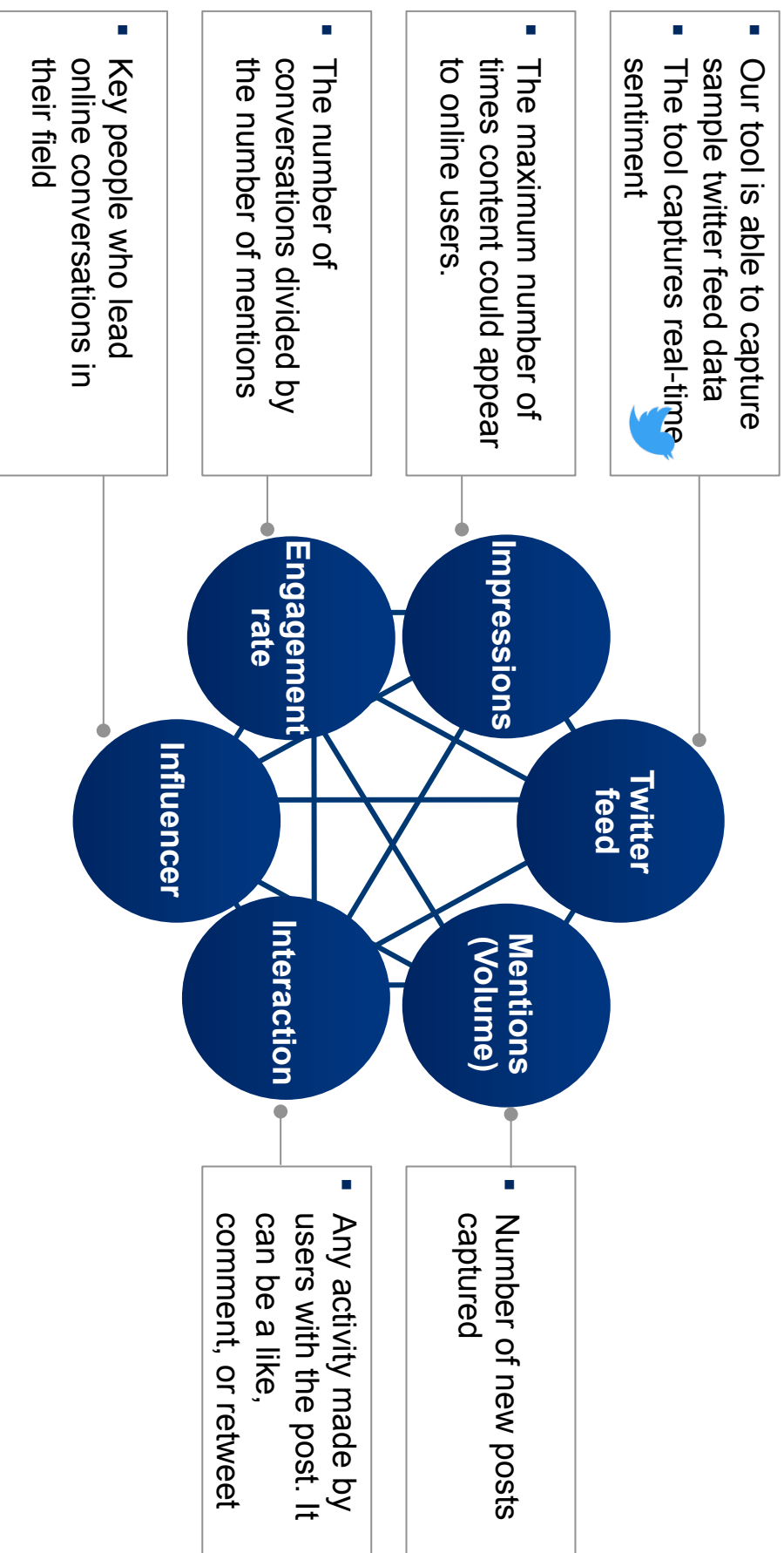
# **EXHIBIT A**

## Contents

# Sample Scan: Austerity measures in Saudi Arabia

In order to gauge citizen sentiment on recent austerity measures announced in KSA, we closely analyzed data from twitter feed

## Understanding the terms used in our analysis



# Overview of social media activity in KSA over a one month period post the announcement of austerity measures

## Volume and intensity of social media activity related to austerity

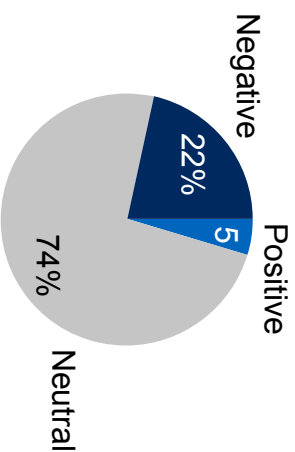
- Number of tweets > **20.31K**, involving > **82.5K** people
- Potential reach (impressions) > **1.54** million people
- Number of interactions (likes and retweets) > **86.3K**
- Number of conversations > **6.6K** i.e. engagement rate > **32.4%**

## Most commonly used words related to austerity

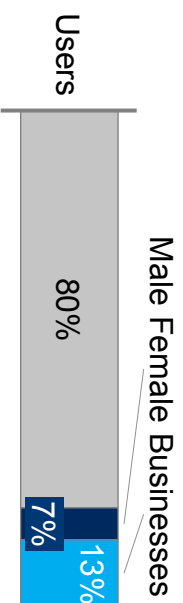
- Majority of discussions are discussing the issuance royal decrees



## Nature of sentiment related to austerity



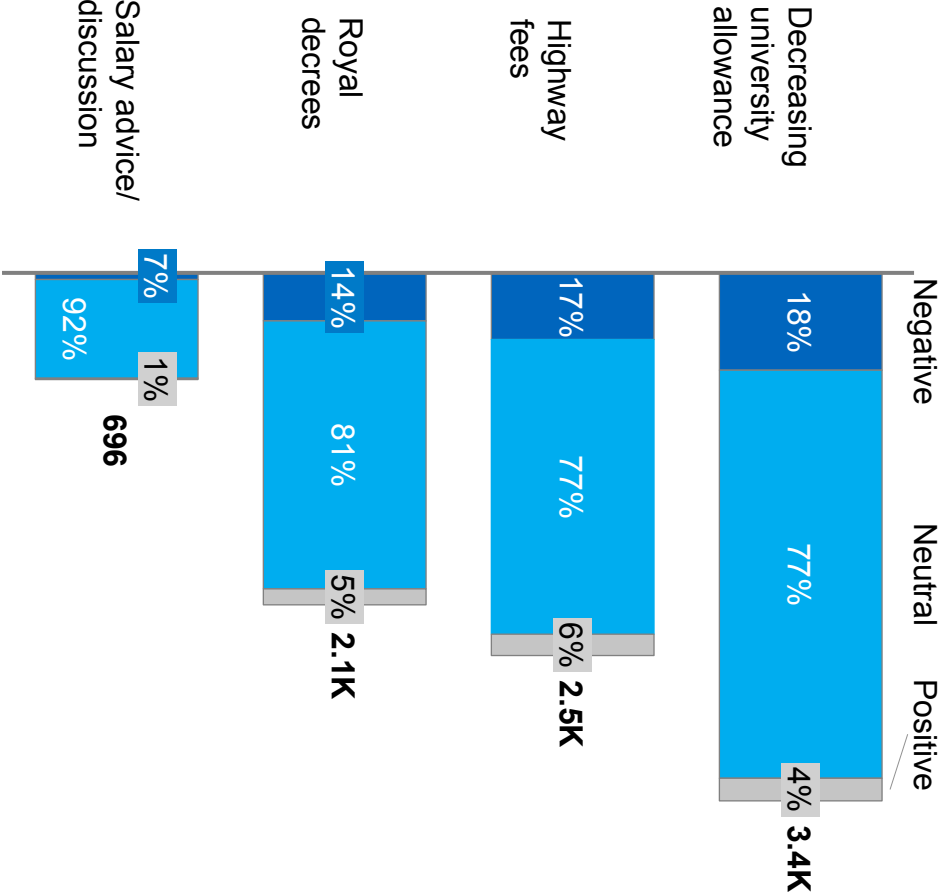
## Profile of social media users discussing austerity



# Decrease of university allowances, was the most discussed topic related to austerity

Negative  
Positive  
Neutral

## Top emerging themes



## Deep dive: University allowance

- Number of tweets > 3.44K, involving > 11.4K people
- Potential reach (impressions) > 181.8 million people
- Number of conversations > 772 i.e. engagement rate > 22.45%



### Positive tweet

تخفيض مكافاه الاجام عيين ٥٠٠ قيل لا اعرابي ارتفع من عر الرخييف في ك واللاه ما ميني لوأصبحت حبة القمح بدني ار أنا أعبد الله كما أهدني **Transition** **#UniAllowanceDecrease** A Bedouin was ~~for~~ the price of loaf increased, and he states he will worship God regardless and God will provide as promised

### Negative tweet

تخفيض مكافاه الاجام عيين ٥٠٠ ات من عيين ٥٠٠  
صرفت المليارات لمصر وخفض الدول العربية  
بأسئت شاء سوريا واليمن والعراق لان بيالهم كروب  
ونوقف **#UniAllowanceDecrease** I would hope we decrease foreign aid to countries like Egypt that don't have war



- 
 رفق مجتهد  
 @RefiqMajtahid  
 162 519
- #فرض اسلام على الطغاة البغاة  
 اليهود و عاصب اقل من خمس اثن سببا بان  
 تصبح شرارنا هذا وبعدين الفرض الاسلام
- 

The individuals who are responsible for our streets' current state should be prosecuted before the issuing the fees

[illegible]

- شقيق السوق السعودي  
 @SQA\_SHEIKH 27.64K Followers  
 ف الذي حصل بالادلة من خفض رواتب لسياسة حالة توقف بل دوره  
 خطه عال حتى لعل حاله طوره التصريح و تخلف عن قوله بامدح طر قوله كى  
 من خفض ٤٠٪ من القومية الحالية  
[تفضل امداح على البطرف المدح](#)  
 ٣ ٢ |

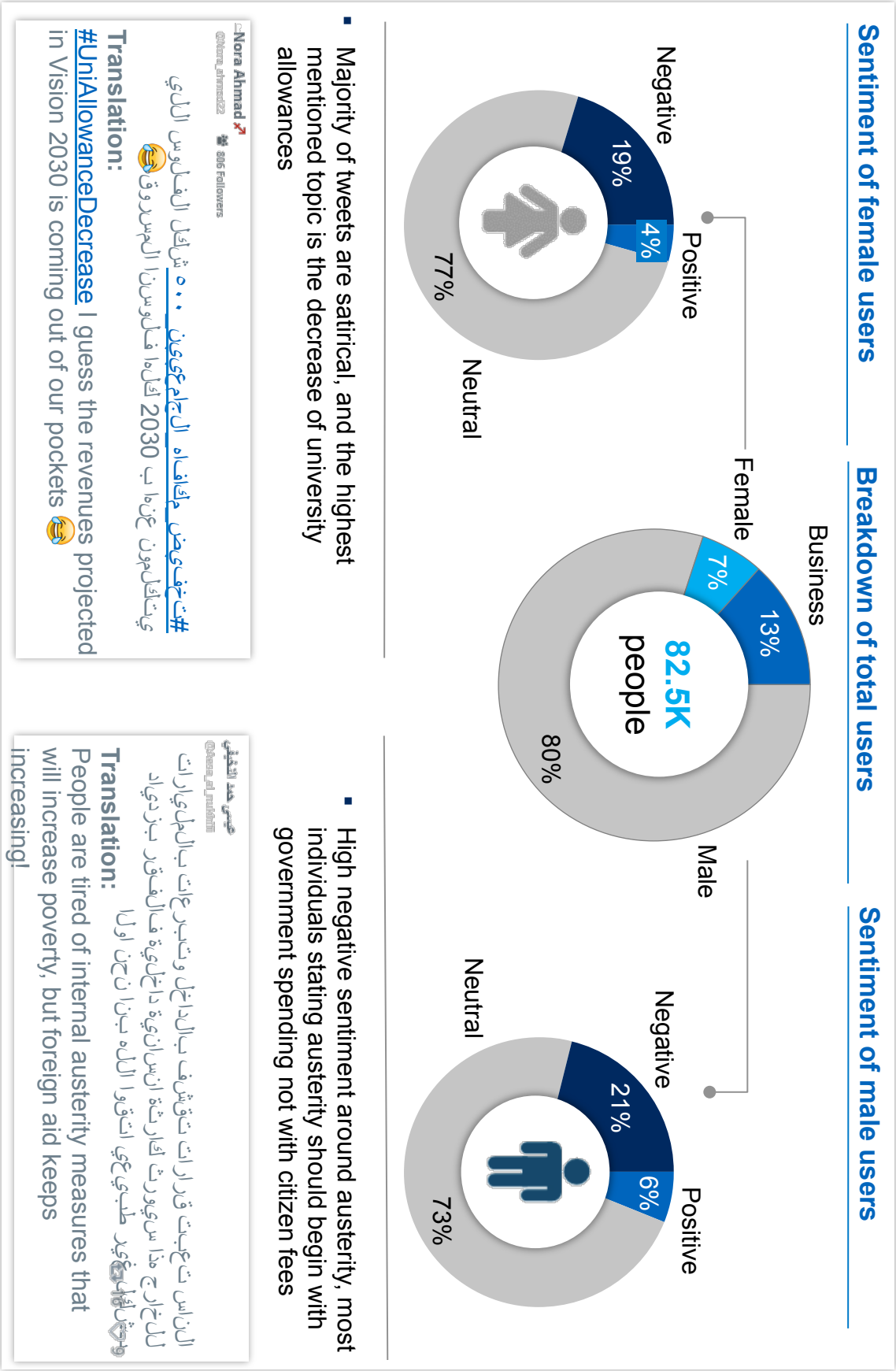
- Economist with **41.6 K** followers discusses the topic of highway fees issuance

طريق المضي  
@tarekalmadi

النقل والسبلات وغیرہ  
لن ننجز ح تغزى الایرات یفرض مرسوم لمدى  
الاستزمن ذلك سوف مدس حالى لادى هم سلمات  
المبارى لن یفرض رساله على الطريق المبرى

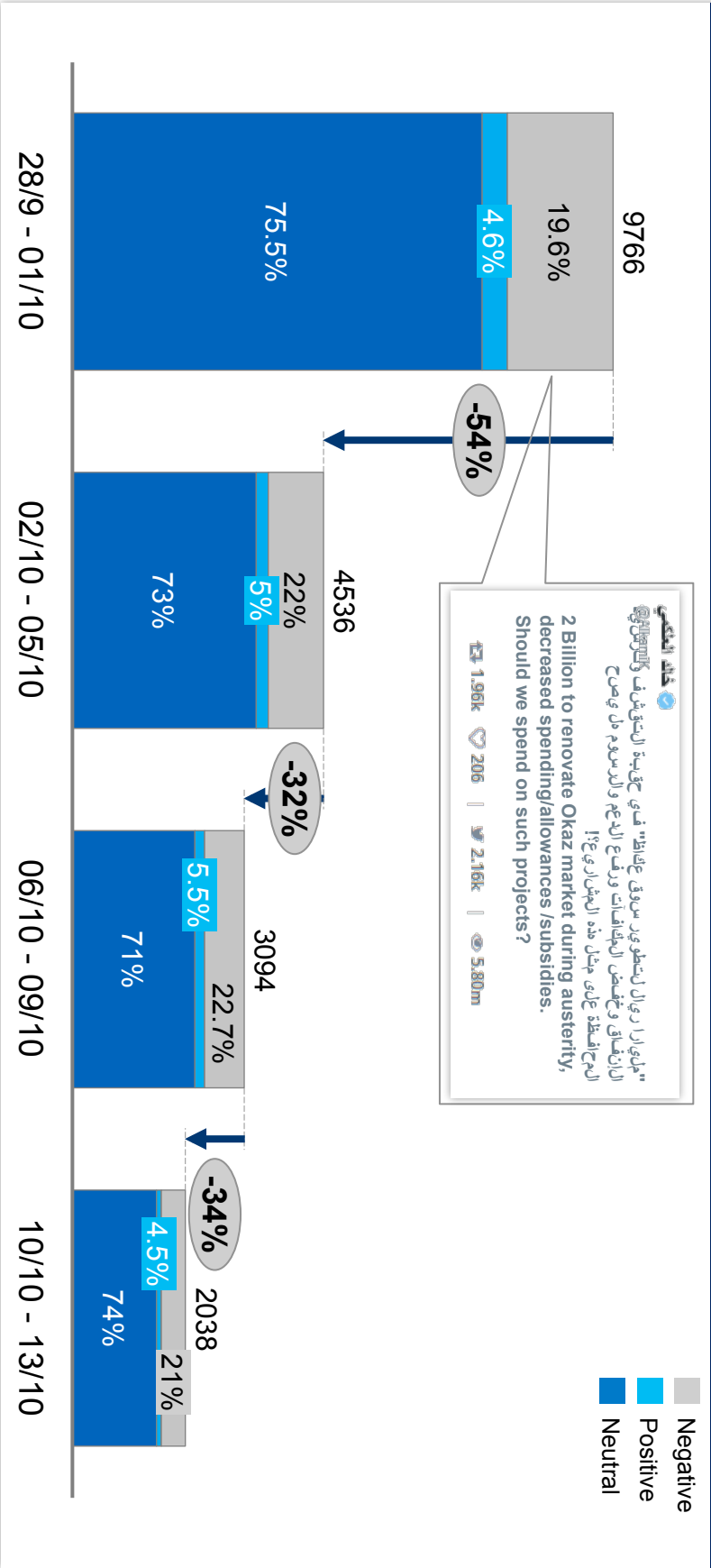
Increasing revenue by issuing fees like this won't work unless there's a simultaneous decrease the millions wasted in the government.

Female users have been more satirical regarding austerity, whereas male users have higher negative sentiment



Discussion is declining in terms of tweets, however negative sentiment has been consistently high<sup>1</sup>

Time series with volume (tweets) with sentiment


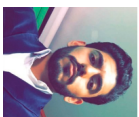



Deep dive: time series

- The first quarter of October saw high discussion on austerity with over **9.8K tweets** in the span of four days
- Tweets throughout mid-October have decreased 20% in volume, however individuals in discussion are mostly negative about the austerity measures, stating that other spending (i.e project spending, foreign aid ...) should be have been decreased

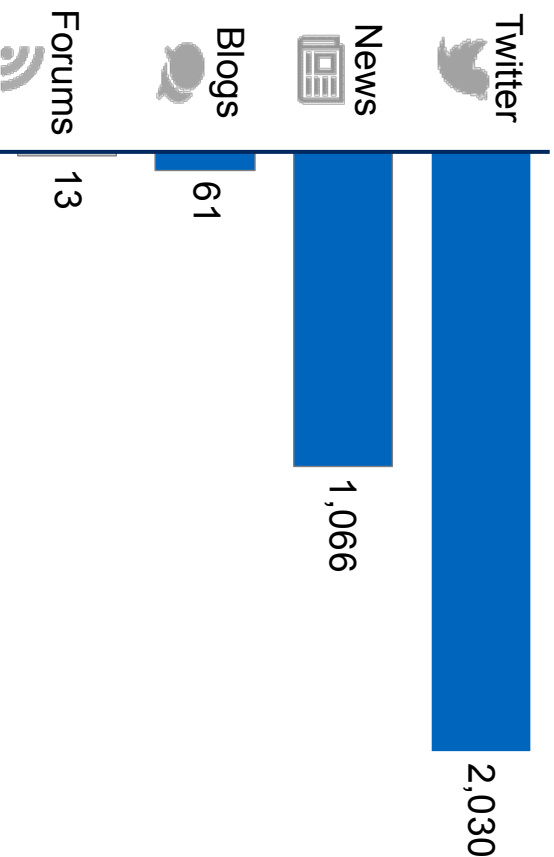
<sup>1</sup> Social Media analysis 28-09-16 to 13-10-16

# Major influencers in Saudi driving discussion regarding austerity measures

Theme	Khalid AlAlkhami		
			
Followers	355.9 K		
Interaction	4.45 K		
Example	<ul style="list-style-type: none"> <li>Saudi writer, comments are mostly revolving around the Saudi economy</li> <li>He also discusses different hot topics effecting the Saudi society</li> <li>Wrote multiple negative tweets regarding austerity</li> </ul>		
	<p>خالد الخحمي 355.9K Followers لا اعتراض على شيء الخادم لكن ابداء راي على حساب النفساء واسيت عادة الاراضى والاراضى المسدودة والمجروح بنا وجه على ولم خصصات في بلد عرب المواطنين</p> <p><b>Translation:</b> Not objecting on decreasing spending, but decreasing corruption in its entirety should precede citizen's pockets</p> <p>704 158</p>		
	<p>عمر عبد العزيز 182.65 K 521</p>		
			
	<ul style="list-style-type: none"> <li>Saudi influencer with high following, mainly uses Twitter and Snapchat</li> <li>Omar has a multitude of negative tweets on topics such as austerity and the royal decrees</li> </ul>		
	<p>عمر عبد العزيز 182.65 K Followers حتى الآن لم يخرج أي مسؤول سعودي رسمي المستوى لبيت حثت مع الشعب عن الله #واحد بلدي! لابد من التواضع والصديق مع المملوكين الخدموم بالحقوقي.</p> <p><b>Translation:</b> Not a single Saudi high-level representative has addressed the #RoyalDecrees! There should be honesty with the citizens, tell them the truth</p> <p>192 87</p>		
	<p>أحمد 137.76K Followers بي بي سي : BEA من سيتصور تنافاض على صفقة اسلحة مع السعودية بقيمة 40 مليار جنيه استرليني ( ١.٨٧ مليار ريال ) ... #تقشف</p> <p><b>Translation:</b> Saudi is still negotiating an arms deal with BEA, according to BBC the contract is worth 40 billion GBP</p> <p>199 Impressions</p>		
	<p>Ahmad 144 K 877</p>		
			
	<ul style="list-style-type: none"> <li>Ahmed tweets mostly on economic topics as well as Saudi society hot topics</li> <li>He has written 3 tweets that had over 877 likes and retweets</li> </ul>		

In addition to twitter, there is a high coverage of austerity measures on various news channels as well

#### Coverage<sup>1</sup> of 'austerity' across various media channels



#### Rationale

- According to Twitter's MENA sales manager, Saudis produce over **500K** tweets daily
- Based on statistics published in 2015, the total Saudi Arabian registered users are **316 million** Twitter users

<sup>1</sup> Social Media analysis 27-09-16 to 27-10-16; number of tweets/ articles etc.  
SOURCE: Alyawm, BBC

#### News: Okaz newspaper

"Even if members of the society reduce their spending, there will still be difficulty managing with the decreased salaries. I know many individuals who have never known luxury but have little to no savings at month's end. They can barely afford their current expenses but they are most effected."

**-Khalid AlSulaiman**



#### News: Al-Jazirah newspaper

"It's highly unlikely that the Saudi citizen will transform from a lazy consumer to a productive frugal individual; unless motivated or compelled to do so. We should welcome the austerity measures!"

**-Jasser AlHarbash**



# EXHIBIT B

